

FILED
MARY L. SWAIN
BUTLER COUNTY
CLERK OF COURTS
10/09/2020 01:53 PM
CV 2020 10 1522

**IN THE COMMON PLEAS COURT OF
BUTLER COUNTY, OHIO CIVIL DIVISION**

NIKKI OLDFIELD
7055 Germantown Road
Middletown, Ohio 45042

Case No. _____

Judge _____

Plaintiff,

vs.

IKEA
9500 Ikea Way
West Chester, Ohio 45069

COMPLAINT WITH JURY DEMAND

Defendant.

Now comes Plaintiff Nikki Oldfield by her attorney and for her Complaint against
Defendant IKEA alleges as follows:

I. FACTUAL BACKGROUND, JURISDICTION AND VENUE

1. This is an action for wrongful discharge predicated on sexual discrimination in violation of Ohio Revised Code Sections 4112.02 and 4112.99.
2. Plaintiff is a resident of the state of Ohio and is a former employee of Defendant IKEA.
3. Defendant IKEA is a foreign corporation that operates a retail store in Butler County Ohio. IKEA was the former employer of Plaintiff.
4. This Court has jurisdiction over wrongful discharge actions.
5. Venue in this County is appropriate because Defendant conducts business in this County.

II. FACTUAL BACKGROUND

6. Plaintiff incorporates the allegations of paragraphs 1-5 of this Complaint as if fully restated herein.

7. Plaintiff began employment with Defendant IKEA on April 17, 2012 and was employed through October 4, 2018. Her job/position was designated as Active Sales and at all relevant times she reported to Emily Derden.

8. Throughout her employment Plaintiff was an excellent employee, received favorable performance reviews and received no discipline.

9. On or about August 31, 2018 Plaintiff and another employee were assisting a customer on a kitchen order in excess of \$9000.00, including closets and doors. The customer would end up purchasing ten sets of doors, which were significantly discounted.

10. Plaintiff later told her mother about the doors the customer bought which were discontinued doors, in part due to the low cost. Plaintiff's mother visited the IKEA store and purchased \$850.00 worth of doors on her credit card on September 1, 2018.

11. Plaintiff's mother arranged to have the doors delivered to her home on September 3, 2018. However the merchandise was not delivered. Later on that same day, Plaintiff called Matt Mann, a manager with IKEA to see if he knew where the merchandise was. Mr. Mann said he would locate the merchandise and reschedule.

12. On September 4, 2018 another call was placed to IKEA and Plaintiff's mother was advised that several managers were working on the issue.

13. Later Plaintiff and her mother and IKEA managers had additional discussions about the merchandise and why it had not been delivered. Defendant made several false statements to Plaintiff and her mother.

14. On or about September 8, 2018 Defendant refunded Plaintiff's mother credit card in the full amount of her payment.

15. On or about October 4, 2018 Defendant terminated Plaintiff for her role in her mother's purchase of the discounted merchandise.

16. Just prior to Plaintiff's mothers purchasing the doors, Defendant had called a store wide meeting. Defendant advised Plaintiff and other sales associates that the store wanted to go from 900 plus discontinued items to 100 or less.

17. The merchandise in question had been marked down, by another employee (not Plaintiff) two days before Plaintiff's mother purchased it.

18. Other male Defendant employees and employees with a different sexual orientation than Plaintiff also sold discounted merchandise and were not terminated.

III. CAUSES OF ACTION

A. SEX DISCRIMINATION

19. Plaintiff restates the allegations of paragraphs 1-18 of this Complaint as if fully restated herein.

20. Plaintiff is a female and also an individual with a different sexual orientation and therefore a member of a class of individuals protected from sex discrimination by Ohio Revised Code Sections 4112.02 and 4112.99.

21. During her employment with Defendant Plaintiff was treated differently than other employees, in respect to the terms and conditions of her employment, due to and on account of her sex. Plaintiff was also treated differently than other employees involved in the discontinuation program, including the male employee who price marked the doors in question.

22. Plaintiff was then terminated by Defendant due to and/or account of her sex.

23. As a result Plaintiff has been damaged in the form of lost pay and benefits, front pay and reasonable attorney fees, plus she has incurred mental anguish and emotional distress.


IV. PRAYER FOR RELIEF

WHEREFORE, Plaintiff Nikki Oldfield demands judgment against Defendant IKEA as follows:

- A. Reinstatement plus lost pay and benefits;
- B. Compensatory damages in excess of \$25,000;
- C. If reinstatement is not applicable, front pay;
- D. Reasonable attorney fees and costs;
- E. Pre and post judgment interest; and
- F. Such other relief as this court deems just and equitable.

Respectfully submitted,

DUWEL LAW



DAVID M. DUWEL (0029583)
130 West Second Street
Suite 2101
Dayton, Ohio 45402
(937) 297-1154, telephone
(937) 297-1152, facsimile
david@duwellaw.com
Attorney for Plaintiff

JURY DEMAND

Plaintiff requests a trial by jury.



David M. Duwel



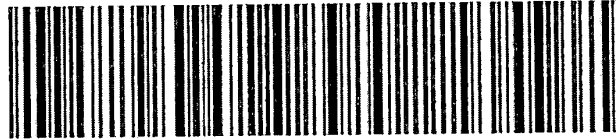
MARY L. SWAIN

BUTLER COUNTY CLERK OF COURTS

**IF UNDELIVERABLE
RETURN TO:**

Butler Co. Clerk of Courts
ATTN: Issuance
315 High Street, 5th Floor
Hamilton, Ohio 45011

USPS CERTIFIED MAIL™



9214 8901 9403 8300 0022 7385 91

**IKEA
9500 IKEA WAY
WEST CHESTER, OH 45069**

October 12, 2020

Z000036585

CV 2020 10 1522

By: Norma Martin

EXHIBIT A